

**REMARKS**

**Specification.** The Applicant has amended the specification herein to remove the reference to claims 1 and 12 in the opening paragraph. No new matter was introduced by the amendment of the specification herein.

The Applicant respectfully declines to add section heading to the specification as suggested by Examiner Song in view of the fact that section heading are not required in accordance with MPE §608.01(a).

**Drawings.** Examiner Song objected to the drawings under 37 C.F.R. §1.83(a) for failing to show a lithography device specified in claim 21. In response thereto, the Applicant has amended claim 21 herein to remove any recitation to a lithography device. Withdrawal of the objection to the drawings under 37 C.F.R. §1.83(a) is therefore respectfully requested.

**Pending Claims 12-28.** In the Non-Final Office Action, Examiner Song rejected pending claims 12-28 on various grounds. The Applicant responds to each rejection as subsequently recited herein, and respectfully requests reconsideration of the present application:

- A. Examiner Song rejected claims 12-28 under 35 U.S.C. §112, ¶2 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention

The Applicant has amended claims 12-28 herein to better conform to current U.S. practice, in particularly a clear and positive recitation of the structural limitations of claims 12-28. Withdrawal of the rejection of claims 12-28 herein under 35 U.S.C. §112, ¶2 as being indefinite is therefore respectfully requested.

- B. Examiner Song rejected claims 12-18 and 21-28 under 35 U.S.C. §102(b) as being anticipated WO2/059905 to *Wedowski*

The Applicant has thoroughly considered Examiner Song's remarks concerning the patentability of claims 12-18 and 21-28 over *Wedowski*. The Applicant has also thoroughly read *Wedowski*. To warrant this §102(b) rejection of claims 12-18 and 21-28, each and every element as set forth in the independent claim 12 must be either expressly or inherently described in *Wedowski*. See, MPEP §2131. To overcome this §102(b) rejection of independent claim 12, the Applicant has amended independent claim 12 to recite "wherein the thin layer is preponderantly zirconium, niobium, molybdenum, zirconium carbide (ZrC), zirconium dioxide, silicon carbide (SiC), silicon nitride (Si<sub>3</sub>N<sub>4</sub>), boron nitride (BN), or a combination thereof". Specifically, the Applicant respectfully asserts that *Wedowski* exclusively describes a thin layer that is preponderantly silicon and not preponderantly zirconium, niobium, molybdenum, zirconium carbide (ZrC), zirconium dioxide, silicon carbide (SiC), silicon nitride (Si<sub>3</sub>N<sub>4</sub>), boron nitride (BN), or a combination thereof as recited in amended independent claim 12. See, *Wedowski* at column 2, line 31 to column 4, line 60.

Withdrawal of the rejection of independent claim 12 under 35 U.S.C. §102(b) as being anticipated by *Wedowski* is therefore respectfully requested.

Claims 13-18 and 21-28 depend from independent claim 12. Therefore, dependent claims 13-18 and 21-28 include all of the elements and limitations of independent claim 12. It is therefore respectfully submitted by the Applicant that dependent claims 13-18 and 21-28 are allowable over *Wedowski* for at least the same reason as set forth herein with respect to independent claim 12 being allowable over *Wedowski*. Withdrawal of the rejection of dependent claims 13-18 and 21-28 under 35 U.S.C. §102(b) as being anticipated by *Wedowski* is therefore respectfully requested.

- C. Examiner Song rejected claims 12, 19 and 20 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,178,509 to *More* et al.

The Applicant has thoroughly considered Examiner Song's remarks concerning the patentability of claims 12, 19 and 20 over *More*. The Applicant has also thoroughly read *More*. To warrant this §102(b) rejection of claims 12, 19 and 20, each and every element as set forth in the independent claim 12 must be either expressly or inherently described in *More*. See, MPEP §2131. To overcome this §102(b) rejection of independent claim 12, the Applicant has amended independent claim 12 to recite "wherein the thin layer is preponderantly zirconium, niobium, molybdenum, zirconium carbide (ZrC), zirconium dioxide, silicon carbide (SiC), silicon nitride (Si<sub>3</sub>N<sub>4</sub>), boron nitride (BN), or a combination thereof". Specifically, the Applicant respectfully asserts that *More* exclusively describes a thin layer that is preponderantly beryllium or boron and not preponderantly zirconium, niobium, molybdenum, zirconium carbide (ZrC), zirconium dioxide, silicon carbide (SiC), silicon nitride (Si<sub>3</sub>N<sub>4</sub>), boron nitride (BN), or a combination thereof as recited in amended independent claim 12. See, More at column 2, lines 52-68.

Withdrawal of the rejection of independent claim 12 under 35 U.S.C. §102(b) as being anticipated by *More* is therefore respectfully requested.

Claims 19 and 20 depend from independent claim 12. Therefore, dependent claims 19 and 20 include all of the elements and limitations of independent claim 12. It is therefore respectfully submitted by the Applicant that dependent claims 19 and 20 are allowable over *More* for at least the same reason as set forth herein with respect to independent claim 12 being allowable over *More*. Withdrawal of the rejection of dependent claims 19 and 20 under 35 U.S.C. §102(b) as being anticipated by *More* is therefore respectfully requested.

**New Claims 29-39.** The Applicant respectfully asserts that the art of record, particularly Wedowski and More, do not teach or suggest "wherein the support structure is preponderantly zirconium, niobium, molybdenum, silicon, zirconium carbide (ZrC), zirconium dioxide, silicon carbide (SiC), silicon nitride (Si<sub>3</sub>N<sub>4</sub>), boron nitride (BN), or a combination thereof" as recited in independent claim 29. An allowance of new claims 29-39 is therefore respectfully requested.

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Page 12 of 12

**SUMMARY**

The Applicant respectfully submits that claims 12-39 as listed herein fully satisfy the requirements of 35 U.S.C. §§102, 103 and 112. In view of the foregoing, favorable consideration and early passage to issue of the present application is respectfully requested. If any points remain in issue that may best be resolved through a personal or telephonic interview, Examiner Song is respectfully requested to contact the undersigned at the telephone number listed below.

Dated: February 27, 2008

Respectfully submitted,  
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